IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 9128 of 1995

Between:

Mr. K.V. Ratna Rama Rao S/o late Latchaiah
R/o 49-36-34, NGGO's Colony, Akkayyapalem,
Vizag-16

..... PETITIONER

AND

1 The Joint Collector & Addl. District Magistrate,
East Godavari, Kakinada
2 The Mandal Revenue Officer
Rajavomangi (M), East Godavari Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an writ or an order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 1st respondent in Ref.B2/3182/91, dt: 10-4-95 is highly illegal, arbitrary, unjust and contrary to the principles of natural justice.

Counsel for the Petitioner: MR.D.V.NAGARJUNA BABU

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following :

THE HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.9128 OF 1995

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the proceedings dated 10.4.1995 passed by the first respondent-Joint Collector and Additional District Magistrate, Kakinada of East Godavari District canceling the caste certificate issued to the petitioner.

During the pendency of the writ petition A.P. (SC,ST & BC) Regulation of Issue of Community Certificate Act,1993 has come into force in 1997, which also provides effective and alternative remedy to the Government against the order of the Joint Collector.

In that view of the matter, I dispose of the writ petition permitting the petitioner to prefer the appeal as provided under the Act, within a period of six weeks from the date of receipt of a copy of this order. In this writ petition this Court granted an interim order dated 28.4.1995 in W.P.M.P.No.11384 of 1995 and the said order continued all along. In that view of the matter, the impugned order remains suspended till disposal of the appeal to be filed by the petitioner. However, it is made clear that if the petitioner fails to file appeal within the period stipulated, it is for the respondents

to enforce the said impugned order.

The writ petition is disposed of with the said observation.

14.12.2004.

mdaa.

Copy to:

1 The Joint Collector & Addl. District Magistrate,
East Godavari, Kakinada
2 The Mandal Revenue Officer
Rajavomangi (M), East Godavari Dist.

3. Two C.Cs to G.P.for Revenue, High Court of A.P., Hyderabad(OUT)

4. Two C.D.copies.